

## REMARKS

Claims 1-7, 11-24, and 28-31 remain pending in the present application as amended. Independent claims 1 and 18 have been amended. No claims have been added or canceled by the present Amendment. Applicants respectfully submit that no new matter has been added to the application by the Amendment. Support for amendments may be found in the application as published at least in connection with paragraphs [0026]-[0029].

### Telephone Conversation With Examiner

Examiner Burgess is thanked for the telephone conversation conducted on May 20, 2010. Proposed amendments were discussed. Asserted art was discussed. It appears that the proposed amendments overcome the rejections based on the asserted art. Clarifying amendments were discussed to better place the application in condition for allowance.

### Section 103 Claim Rejection

The Examiner has again rejected the claims under 35 USC § 103 as being obvious over Elza et al. (U.S. Patent Pub. No. 2004/0230903) in view of Lindsey (U.S. Patent Pub. No. 2004/0121789), and further in view of Lewis et al. (U.S. Patent Pub. No. 2003/0109271). Applicants respectfully traverse the Section 103 rejection insofar as it may be applied to the claims as amended. In particular, Applicants respectfully submit that the asserted references all fail to disclose or suggest the use of a first message that (1) is destined for a common server engine, (2) specifies particular ones of electronic communications to the user as already received and stored by the common server engine, and (3) specifies an endpoint comprising another first client of the user different from the first client of the user corresponding to the first message, particularly in the manner recited in independent claims 1 and 18 as amended.

Independent claim 1 recites a system for transporting agnostic pull mode messaging that requires a plurality of first clients of a particular user. Each first client may differ from other

first clients. For example, one first client of the user may be a desktop computer messaging service that communicates according to a first type of first communication protocol, while another first client of the user may be a handheld messaging service that communicates according to a second type of first communication protocol, while yet another first client of the user may be a mobile-phone based messaging service that communicates according to a third type of first communication protocol. Each first client of the user has a corresponding first adapter with which the first client communicates according to the corresponding first communication protocol, and all of the adapters communicate with the server engine by way of a common second communication protocol. The corresponding first adapter for each first client receives the corresponding first message and sends the response to the corresponding first client using the corresponding first communication protocol indicating that the corresponding first message was received, generates a corresponding second message based on the corresponding first message, and sends the corresponding second message to the common server engine using the common second communication protocol. As should be appreciated, then, the first adapter translates the first message into the second message so that the substances of the messages is generally the same, perhaps with minor non-substantive differences. The common server engine receives each second message and executes at least one instruction based on the received second message.

As amended, claim 1 now positively recites that the first message is destined for a common server engine, which is to say that the first message is not substantive in the manner of an electronic communication to another user, perhaps in the form of an e-mail message, but instead is more procedural and is directed toward the common server engine itself. For example, the first message may direct the common server engine to deliver particular electronic communications of the user to another one of the first devices of the user. Thus, and as is also positively recited in claim 1, the first message specifies particular ones of electronic communications to the user as already received and stored by the common server engine, and also specifies an endpoint comprising another first client of the user different from the first client of the user corresponding to the first message.

Based on having received the second message, which in substance is akin to the first message, the common server engine executes the instruction, which is a query derived from the second message for the particular ones of electronic communications to the user as already received and stored by the common server engine. For example, the query may be for all e-mails to the user from a particular time period and from a particular sender, or from a particular sender and having a particular search term, among other things. In any instance, the common server engine retrieves from a storage device the particular ones of the electronic communications to the user according to the query and sends the retrieved electronic communications to the endpoint as specified by the first message.

Independent claim 18 as amended recites subject matter similar to that of claim 1, albeit in the form of a method.

Applicants respectfully again point out that the Elza and Lindsey references show multiple clients accessing a server / server engine, as is best seen in Figs. 3 and 2, respectively, and the Lewis reference teaches communicating a message from a first device to a second device. However, Applicants respectfully submit that none of the asserted references discloses or even suggests that a first message as now positively recited in claims 1 and 18 is employed by a common server engine in the manner recited in claims 1 and 18. In particular, none of the asserted references discloses or suggests that such a first message (1) is destined for a common server engine, (2) specifies particular ones of electronic communications to the user as already received and stored by the common server engine, and (3) specifies an endpoint comprising another first client of the user different from the first client of the user corresponding to the first message.

In the Lewis reference in particular, the electronic communications are being delivered from a first Lewis device to a second Lewis device (see Abstract), and are therefore not *already* received and stored by the Lewis server. Likewise, such Lewis electronic communications are not destined for the Lewis message server (DART), as is now required by claims 1 and 18, but

instead are common electronic messages from a sender to a receiver and only passing through the Lewis message server. Thus, such a Lewis electronic communication would not by its nature specify particular ones of electronic communications to the user *as already received and stored by the Lewis message server*, where such specified particular communications are to be delivered by the Lewis message server to a specified endpoint, particularly in the manner now recited in claims 1 and 18.

Inasmuch as the Lewis system does not receive a first message having the elements (1)-(3) as are now recited in claims 1 and 18, and does not employ such a first message in the manner recited in the claims, the Lewis reference cannot be said to disclose or suggest that such Lewis server retrieves from a storage device the particular ones of the electronic communications to the user according to a query based on such a first message, or sends the retrieved electronic communications to an endpoint specified in the first message, as is now recited in claims 1 and 18. Accordingly, Applicants respectfully submit that the combination of the Elza, Lindsey, and Lewis references does not disclose or even suggest all of the subject matter now recited in claims 1 and 18 as amended. As a result, Applicants respectfully submit that such references cannot be employed to make obvious such claims 1 and 18 as amended or any claims depending therefrom, including claims 2-7, 11-17, 19-24, and 28-31. Thus, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejection.

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**PATENT**

### **CONCLUSION**

In view of the foregoing Amendment and Remarks, Applicants respectfully submit that the present application including claims 1-7, 11-24, and 28-31 is in condition for allowance and such action is respectfully requested.

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**/Joseph F. Oriti/**  
Joseph F. Oriti  
Registration No. 47,835

Woodcock Washburn LLP  
Cira Centre  
2929 Arch Street, 12th Floor  
Philadelphia, PA 19104-2891  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439